

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 69908 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- DAUDNAGAR District- Aurangabad

Sanjay Kumar Singh S/O Baliram Singh R/O Village-Shivganj Tola,
Manudehri, P.S.-Tiyar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwari

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-10-2024 Heard the parties.

2. The petitioner apprehends his arrest in connection with Daudnagar P.S. Case No. 78 of 2024, registered for the offences punishable under Sections 379, 411 of the Indian Penal Code and Sections 11(1), 11(1)(ka), 11(1)(gha) of the Prevention of Cruelty to Animals Act.

3. The allegation against the petitioner is of illegal transportation of cattle in a wretched condition with cruel manner through his pick-up van.

4. Learned Advocate for the petitioner drawing the attention of this Court to the FIR submits that admittedly the pick-up van in question was being run by one Rohit Kumar, who appears to be driver of the pick-up van in question. Only because of the petitioner being the owner of the pick-up van, his



name has been implicated in this case. It is further contended that the pick-up van in question was being run for transportation of goods. However, the cattle were duly purchased by the petitioner on payment of consideration amount and as such no offence is made out under Sections 379 and 411 of the Indian Penal Code. It is further contended that the petitioner bears fair antecedent. Moreover, at the time of occurrence he was not present at the place of occurrence and as such he was not acquainted that the cattle were treated with cruelty.

5. On the other hand, learned Advocate for the State opposes the bail application and submits that *prima facie* from the allegation it appears that the petitioner was indulged in illegal transportation of cattle with all kinds of cruelty.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is the owner of the pick-up van in question, coupled with the fair antecedent, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM,



Daudnagar, Aurangabad in connection with Daudnagar P.S.
Case No. 78 of 2024, subject to the conditions laid down in
Section 438(2) Cr.P.C. with the further condition that one of the
bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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